

Please type a plus sign (+) inside this box

Approved for use through 10/31/2002. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Express Mail No.:EV331014405US	Attorney Docket No.	57294-012	First Inventor: Roger K. Cady
AMENDMENT TRANSMITTAL LETTER		Serial No.	09/575,277
Title: Preemptive Prophylaxis of Migraine		Filing Date	05/22/2000
		Examiner	Kim. Vickie Y.
		Group Art Unit	1614

**TO THE ASSISTANT COMMISSIONER FOR PATENTS:**

Transmitted herewith is an amendment in the above-identified application.



Large Entity Status



Small Entity status of this application has been established under 37 CFR 1.27

The fee has been calculated and is transmitted as shown below.

CLAIMS AS AMENDED - PART II					SMALL ENTITY		OTHER THAN SMALL ENTITY	
AMENDMENT	(Column 1)		(Column 2)	(Column 3)	RATE	ADDITIONAL FEE	RATE	ADDITIONAL FEE
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	x \$9.00=	\$ 0.00	x \$18.00=	\$ 0.00
	Total (37 CFR 1.16(c))	16*	Minus **40	=0	x \$43.00=	\$ 0.00	x \$86.00=	\$ 0.00
	Independent (37 CFR 1.16(b))	5*	Minus **5*	=0	x \$145.00=		x \$290.00=	
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(d))					TOTAL ADDIT. FEE	\$ 0.00	TOTAL ADDIT. FEE	\$ 0.00

* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.
** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".
*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3".
The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.

- Terminal Disclaimer To Obviate A Double Patenting Rejection Over A Prior Patent.
- No additional fee is required for amendment.
- A check in the amount of \$110.00 is enclosed.
- The Commissioner has already been authorized to charge fees in this application to a Deposit Account. 08-3460.
- The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number 08-3460. I have enclosed a duplicate copy of this sheet.
- Any additional filing fees required under 37 C.F.R. 1.16.
- Any patent application processing fees under 37 C.F.R. 1.17.

Signature

Date: September 30, 2004

H. Frederick Rusche, 45,061
Husch & Eppenberger, LLC
190 Carondelet Plaza
St. Louis, MO, 63105
314-480-1500
314-480-1505 FAX

Custom No.: 029493

F:\ST_LOUIS\RUSCHE\F\FORM\1888615.01

Certificate of Express Mailing Under 37 CFR 1.10
I hereby certify that this document and fee is being deposited with the United States Postal Service as "Express Mail" under 37 C.F.R. 1.10 Label No EV 331014405US on September 30, 2004 and addressed to:
MAIL STOP Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 21313-1450.

Signature:

Type Name: Eileen Curran